



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Richard E. Smalley et al.

For: COMPOSITIONS AND ARTICLES OF  
MANUFACTURE

Atty Dkt: 11321-P012USD13

§ Serial No: 10/033,028  
§ (division of application  
§ Serial No. 09/380,545)  
§  
§ Filed: December 28, 2001  
§  
§ Group Art Unit: 1754 (anticipated)  
§  
§ Prior Examiner: Stuart Hendrickson  
§ 703.308.2539

## "CERTIFICATE OF FIRST CLASS MAILING

This document is being deposited with the U.S. Postal Service as U.S. First Class Mail with sufficient postage, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231, on the date indicated below.

12 March 2002  
Date

Signature

Wanda AlexanderWarren  
Printed Name

U.S. Patent and Trademark Office  
Washington, D.C. 20231

### AMENDMENT AND RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Sir:

This paper responds to the Notice To File Corrected Application Papers and supplements a Preliminary Amendment filed December 28, 2001 which accompanied a Request for Filing Divisional Application Under 37 C.F.R. § 1.53(b). Applicant believes no fee is due with the filing of this paper, however, if any fees are determined to be due, the Assistant Commissioner, Commissioner, and/or the Director of the U.S. Patent & Trademark Office is/are hereby authorized to charge any such fees to Winstead Sechrest & Minick Deposit Account No. 23-2426, referencing matter number 11321-P012USD13.

### AMENDMENTS

#### In the Abstract

Please amend the abstract by replacing the present abstract with the following:

**In the Specification**

Please amend the first paragraph pertaining to Related Applications entered in a Preliminary Amendment filed December 28, 2001 and replace it with the following. Pursuant to Rule 121, a "marked up" version of this paragraph appears on the following page.

**RELATED APPLICATIONS**

This application is a division of co-pending prior U.S. patent application Serial No. 09/380,545, filed on December 22, 1999, entitled "CARBON FIBERS FORMED FROM SINGLE-WALL CARBON NANOTUBES," which is the 35 U.S.C. § 371 national application of International Application Number PCT/US98/04513 filed on March 6, 1998, which designated the United States, claiming priority to: provisional U.S. patent application Serial Number 60/067,325, filed on December 5, 1997; provisional U.S. patent application Serial Number 60/064,531, filed on November 5, 1997; provisional U.S. patent application Serial Number 60/063,675, filed on October 29, 1997; provisional U.S. patent application Serial Number 60/055,037, filed on August 8, 1997; provisional U.S. patent application Serial Number 60/047,854, filed on May 29, 1997; and provisional U.S. patent application Serial Number 60/040,152, filed on March 7, 1997. Each of the foregoing applications is commonly assigned to the assignee of the present invention and is hereby incorporated herein by reference in its entirety.

### **Version with Markings to Show Changes Made**

## RELATED APPLICATIONS

This application is a division of co-pending prior U.S. patent application Serial No. 09/380,545, filed on [September 3, 1999]December 22, 1999, entitled "CARBON FIBERS FORMED FROM SINGLE-WALL CARBON NANOTUBES," which is the 35 U.S.C. § 371 national application of International Application Number PCT/US98/04513 filed on March 6, 1998, which designated the United States, claiming priority to: provisional U.S. patent application Serial Number 60/067,325, filed on December 5, 1997; provisional U.S. patent application Serial Number 60/064,531, filed on November 5, 1997; provisional U.S. patent application Serial Number 60/063,675, filed on October 29, 1997; provisional U.S. patent application Serial Number 60/055,037, filed on August 8, 1997; provisional U.S. patent application Serial Number 60/047,854, filed on May 29, 1997; and provisional U.S. patent application Serial Number 60/040,152, filed on March 7, 1997. Each of the foregoing applications is commonly assigned to the assignee of the present invention and is hereby incorporated herein by reference in its entirety.



11321-P012USD13

PATENT

IN RE: APPLICATION OF SMALLEY et al.

### CONCLUSION

Applicant believes that the application as a whole is in proper form and condition for allowance. If the Examiner believes that the application may be placed in even better condition for allowance, he /she is invited to contact the undersigned at the telephone number noted below. Alternatively, or in addition, if the Examiner believes that an Examiner interview would be beneficial, the Examiner is invited to note that the undersigned has ready access to the videoconferencing facilities of the South Central Intellectual Property Partnership at Rice University in Houston, Texas. The inventors and the undersigned would welcome the opportunity to use those facilities to clarify any issues deemed to remain unresolved.

Respectfully submitted,

Date: 11-MAR-2002

Hugh R. Kress

Hugh R. Kress, Esq.  
Reg. No. 36,574  
Winstead Sechrest & Minick P.C.  
2400 Bank One Center  
910 Travis Street  
Houston, Texas 77002  
(713) 650-2714 (voice)  
(713) 650-2400 (fax)

ATTORNEYS FOR ASSIGNEE

AUSTIN\_1\185298\1  
11321-P012USD13 - 03/09/2002

2002 MAR 21 09:00 AM